IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

Crl.Rev.Pet.No. 2239 of 2007()

CRA.106/2006 of ADDL. DIS.& SESSIONS COURT (ADHOC-I), THODUPUZHA
CC.9/2005 of CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA

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REVN. PETITIONER/APPELLANT/ACCUSED:

RASHEED, S/O.KUNJUMON,
NAHAZ MANZIL, NEAR SUHARA SAW MILL,
CHARAMMOODU KARA, ALAPPUZHA.

BY ADV. SRI.K.HARILAL
SRI.R.GOPAN

RESPONDENTS/ RESPONDNETS/COMPLAINANT & STATE:

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1. C.V.RAMESH, S/O.C.K.UNNI,
CHATHANMALAYIL HOUSE, ANAKKOODU BHAGOM,
VENGALLOOR P.O., THODUPUZHA.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO. 2239 of 2007

Dated this the 14th day of June, 2007

ORDER

The revision petitioner stands convicted for the offence under section 138 N.I.Act and sentenced to undergo simple imprisonment for 3 months and to pay a fine of Rs.one lakh and in default to undergo simple imprisonment for two months. Out of the fine amount, Rs.95,000/- is to be paid to the complainant vide section 357 (3) Cr.P.C. The revision petitioner has only sought for modification of the sentence and time to pay the amount.

2. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.95,000/- to the complainant and in default to undergo simple imprisonment for two months. The revision petitioner is granted six months' time from today onwards to pay the amount of compensation. The revision petitioner shall appear before the C.J.M., Thodupuzha, on 14-12-2007 to receive the sentence.

NBW pending, if any, shall be be kept in abeyance till then.

The Crl.R.P is disposed of accordingly.

K.R.UDAYABHANU,JUDGE.

Kvm/